REMARKS

Applicant has included a two month extension fee with this amendment.

Claim rejections under 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Gillespie et al (US Patent No. 5,543,590). It is asserted that all of the essential elements of the claimed invention are disclosed by Gillespie.

Applicant respectfully traverses the rejection of the claimed invention in view of Gillespie. Applicant is very familiar with the teachings of Gillespie and has taken the opportunity to study the patent over several years time. Gillespie, in fact, teaches a two-sided touchpad, not a single-layer touchpad as taught by the present invention. This is because all touchpads at this time, including Gillespie, provided full touchpad functionality. Full touchpad functionality includes the ability to track motion of a capacitive object on a surface of the touchpad.

As taught by Gillespie, for example, in some of the cited portions of text from the Office Action, the touchpad of Gillespie is constructed as shown in column 9, lines 6-25. The touchpad of Gillespie includes:

> "a substrate 24 including a first set of conductive traces 26 disposed on a top surface 28 thereof and run in a first direction to comprise row positions of the touch sensor array 22. A second set of conductive traces 30 are disposed on a bottom surface 32 thereof and run in a second direction preferably orthogonal to the first direction..."

As this text from Gillespie clearly states, there are two layers of electrodes. The first set of electrodes is on a top surface of the substrate, and the second set is on a bottom surface

of the substrate. Object tracking touchpads, such as Gillespie, are only capable of performing this function by having two sets of electrodes that are spaced apart by some insulator, and overlap. In this case, the insulator is the substrate.

Applicant respectfully points out that the electrodes of Gillespie cannot be disposed on the same side of the substrate because they must overlap in order to function. This arrangement is in distinct contrast to the claimed invention. Amended claim 1 clearly states that the electrodes are disposed on the same side of the substrate, and therefore the electrodes do not overlap, which is also claimed.

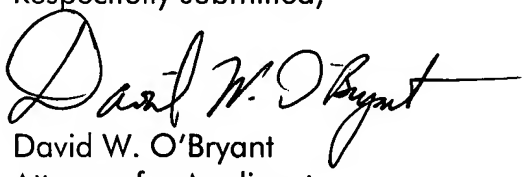
Applicant also makes the observation that Gillespie cannot make the present invention obvious. Gillespie only teaches functionality of the touchpad to perform object tracking to thereby move a cursor on a display screen. Gillespie does not teach nor suggest the configuration of electrodes as taught by the present invention.

In light of the statements above, Applicant respectfully requests issuance of claims 1-20. If any impediment to the allowance of these claims remains after entry of this Amendment, and such impediment could be alleviated during a telephone interview, the examiner is invited to call David W. O'Bryant at (801) 478-0071 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 50-0881.

DATED this 10th day of January, 2005.

Respectfully submitted,



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